

APPENDIX D

PROVISIONS OF THE PRIVACY ACT FROM WHICH A  
GENERAL OR SPECIFIC EXEMPTION MAY BE CLAIMED

(See subsection A.4 of Chapter 5)

Exemption		Section of the Privacy Act
<u>(j)(2)</u>	<u>(k)(1-7)</u>	
No	No	(b)(1) Disclosures within the Department of Defense
No	No	(2) Disclosures to the public.
No	No	(3) Disclosures for a "Routine Use."
No	No	(4) Disclosures to the Bureau of Census.
No	No	(5) Disclosures for statistical research and reporting.
No	No	(6) Disclosures to the National Archives.
No	No	(7) Disclosures for law enforcement purposes.
No	No	(8) Disclosures under emergency circumstances.
No	No	(9) Disclosures to the Congress.
No	No	(10) Disclosures to the General Accounting Office.
No	No	(11) Disclosures pursuant to court orders.
No	No	(12) Disclosure to consumer reporting agencies.
No	No	(c)(1) Making disclosure accountings.
No	No	(2) Retaining disclosure accountings.
Yes	Yes	(c)(3) Making disclosure accounting available to the individual.
Yes	No	(c)(4) Informing prior recipients of corrections.
Yes	Yes	(d)(1) Individual access to records.
Yes	Yes	(2) Amending records.
Yes	Yes	(3) Review of the Component's refusal to amend a record.
Yes	Yes	(4) Disclosure of disputed information.
Yes	Yes	(5) Access to information compiled in anticipation of civil action.

Exemption		Section of the Privacy Act
<u>(j)(2)</u>	<u>(k)(1-7)</u>	
Yes	Yes	(e)(1) Restrictions on collecting information.
Yes	No	(e)(2) Collecting directly from the individual.
Yes	No	(3) Informing individuals from whom information is requested.
No	No	(e)(4)(A) Describing the name and location of the system.
No	No	(B) Describing categories of individuals.
No	No	<b>(c)</b> Describing categories of records.
No	No	(D) Describing routine uses.
No	No	(E) Describing records management policies and practices.
No	No	(I?) Identifying responsible officials.
Yes	Yes	(e)(4)(G) Procedures for determining if a system contains a record on an individual.
Yes	Yes	(Ii) Procedures for gaining access.
Yes	Yes	(I) Describing categories of information sources.
Yes	No	(e) (5) Standards of accuracy.
No	No	(e)(6) Validating records before disclosure.
No	No	(e)(7) Records of First Amendment activities.
No	No	(e)(8) Notification of disclosure under compulsory legal process.
No	No	(e)(9) Rules of conduct.
No	No	<b>(e)(10)</b> Administrative, technical and physical safeguards.
No	No	(11) Notice for new and revised routine uses.
Yes	Yes	(f)(1) Rules for determining if an individual is subject of a record.

Exemption		Section of the Privacy Act
<u>(j)(2)</u>	<u>(k)(1-7)</u>	
Yes	Yes	(f)(2) Rules for handling access requests.
Yes	Yes	(f)(3) Rules for granting access.
Yes	Yes	(f)(4) Rules for amending records.
Yes	Yes	(f)(5) Rules regarding fees.
Yes	<b>No</b>	<b>(g)(1)</b> Basis for civil action.
Yes	No	(g)(2) Basis for judicial review and remedies for refusal to amend.
Yes	No	(g)(3) Basis for judicial review and remedies for denial of access.
Yes	No	(g)(4) Basis for judicial review and remedies for other failure to comply.
<b>Yes</b>	No	(g)(5) Jurisdiction <b>and</b> time limits.
<b>Yes</b>	No	(h) Rights of legal guardians.
No	No	(i)(1) Criminal penalties for unauthorized disclosure.
No	No	(2) Criminal penalties for failure to publish.
No	<b>No</b>	(3) Criminal penalties for obtaining records under <b>false</b> pretenses.
<sup>1</sup> Yes	No	<b>(j)</b> Rulemaking requirement.
N/A	No	(j)(1) General exemption for the Central Intelligence Agency.
N/A	No	(i)(2) General exemption for criminal law enforcement records.
Yes	N/A	(k)(1) Exemption for classified material.
N/A	N/A	<b>(k)(2)</b> Exemption for law enforcement material.
Yes	N/A	(k)(3) Exemption for records pertaining to Presidential protection.
Yes	N/A	(k)(4) Exemption for statistical records.
Yes	N/A	(k)(5) Exemption for investigatory material compiled for determining suitability for employment or service.
Yes	N/A	(k)(6) Exemption for testing or examination material.

Exemption		Section <b>of</b> the Privacy Act	
<u>(j)(2)</u>	<u>(k)(I-?)</u>		
<b>Yes</b>	N/A	<b>(k)(7)</b>	Exemption for promotion evaluation materials used by the Armed Forces.
<b>Yes</b>	<b>No</b>	<b>(1)(1)</b>	Records stored <i>in</i> GSA records centers.
<b>Yes</b>	No	<b>(1)(2)</b>	Records archived before September 27, 1975.
<b>Yes</b>	<b>No</b>	<b>(1)(3)</b>	Records archived on or after September 27, 1975.
<b>Yes</b>	<b>No</b>	(III)	Applicability to government contractors.
<b>Yes</b>	<b>No</b>	(n)	Mailing lists.
<sup>1</sup> <b>Yes</b>	No	(o)	Reports on new systems.
<sup>1</sup> <b>Yes</b>	<b>No</b>	(P)	Annual report.

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<sup>1</sup> See subsection A.4. of Chapter 5.